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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/781,865
Filing Date: February 20, 2004
Appellant(s): AHN, HONG-JIN

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EXAMINER'S ANSWER

This is in response to the appeal brief filed 01/12/2009 appealing from the Office action mailed 06/16/2008 and Advisory Action mailed 10/07/2008.

I. Real Party in Interest

The real party in interest in this application and the appeal is contained in the brief.

II. Related Appeals and Interferences

Examiner is not aware of any related Appeals, Interferences or Judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in this pending appeal.

III. Status of Claims

The statement of the status of Claims contained in the brief is correct.

IV. Status of Amendments

Appellant's statement of the status of amendments after final rejection contained in the brief is correct.

V. Summary of the Claimed Subject Matter

Summary of the Claimed subject matter contained in the brief is correct.

VI. Grounds of Rejections to be Reviewed on Appeal

Appellant's statement of the grounds of rejection to be reviewed on Appeal is correct.

VII. Claims Appendix

Copy of the Appealed Claims contained in the Appendix to the brief is correct.

VIII. Evidence Relied Upon

Jouppi, Jarkko et al.	US 20030221016 A1	11/27/2003
Krishnarajah; Ainkaran et al.	US 7145919 B2	12/05/2006

IX. Grounds of Rejection

The following ground(s) of rejection are applicable to the Appealed Claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1, 7, 12-18, and 23-28 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 20030221016 to Jouppi et al. (hereinafter "Jouppi"), as applied to claims above, and in view of US Patent No. 7145919 to Krishnarajah; Ainkaran et al., (hereinafter "Krishnarajah").

As to regards to Claim 1, *Jouppi teaches method for performing Traffic Flow Template (TFT) filtering according to Internet Protocol (IP) versions in a mobile communication system, the method comprising the steps of* (as stated in par. 0002, lines 1-6, The mobile station knows which application data flows are to be directed into which PDP context tunnel in the transmission of uplink data. In the direction of the downlink, the gateway GPRS support node GGSN must also know packet-specifically which PDP context is used for which data flow received from an external IP network. For this purpose, the destination IP address of the packet is used, and also TFT (Traffic Flow Template) templates are defined for the UMTS):

extracting a first IP version address based information from a source second IP version address, wherein the second IP version address contains the first IP version address (as stated in par. 0002, lines 9-12, par. 0006, lines 19-22, mobile station transmits given values of TCP/UDP/IP address fields to the gateway GPRS support node GGSN for the identification of the flow. The TFT contains one or more so called packet filters. The filter functionality can be implemented by using not only an interface identifier but also other predetermined parameters and/or conditions with which the

packets or data flows can be identified in the IPv6 address structure. Examiner views Filtering understood as Extracting);

and generating TFT information using the first IP version address, wherein the TFT information contains an indication that the second IP version address contains the first IP version address (as stated in par. 0039, lines 11-12, par. 0006, lines 19-22, The TFT can comprise at least the following filter parameters: source IP address, refers to the address of a peer device in an external network PDN, source gate, destination gate, DiffServ field (Differentiated Services), flow identifier (IPv6), protocol number (IPv4)/ the next address field (IPv6), etc.);

and transmitting the TFT information to a Gateway GPRS (General Packet Radio Service) Support Node (GGSN) (as stated in par. 0039, line 2, lines 6-11, The mobile station MS transmits, TFT template, contents of the TFT template is transferred in a particular TFT information element, which can be used to create a new TFT, to remove an existing TFT and to add, remove or replace one or more filters of an existing TFT. The TFT is transmitted transparently through the SGSN).

Krishnarajah in the same field of Networking Art also teaches, as stated in col. 14, lines 38-57, In a UMTS architecture, UE which identifies a flow based on a set of parameters defined in a traffic flow template (TFT) which acts as a packet filter using filter parameters, like IP source/destination address, UDP source/destination address, etc., that are the same for an IP stream. The TFT is mapped to a specific GTP tunnel for which the PDP context was initiated. In the case where an IPv6 the flow label is used for flow identification, the UE initiates one TFT per flow and then maps it to the GTP tunnel.

In the RTP header and destination option example implementations, only one TFT for the entire flow need be initiated since these example mechanisms do not modify any of the TFT parameters. Advantageously, introducing information in the IP flow label does not affect the TFT mechanism of directing each flow to the appropriate radio bearer. Although the flow label identify in the IPv6 header has been described here, similar identifiers in an IP packet, including in an IPv4 packet, may be used to indicate the subflows of a particular CODEC stream in order to perform different treatment on those subflows, e.g., a Type of service, TOS field in the IPv4 header could be redefined.

Accordingly it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate teaching of TFT filtering of IPv6 packet as disclosed by Krishnarajah and to combine with that of Jouppi teaching and disclosure of TFT filtering, where TFT contains one or more so called packet filters based on IP version of the packet. The filter functionality can be implemented by using not only an interface identifier but also other predetermined parameters and/or conditions with which the packets or data flows can be identified in the IPv6/IPv4 address structures.

The motivation would have been for filtering of flows based on IPv4 and or IPv6 for reducing computation load, QoS, and defining class of flows of packet based on its IP version.

Therefore, it would have been obvious to combine these two references of Jouppi's and Krishnarajah's disclosure to identify a flow/packet and transmit it on the radio bearer configured with the corresponding treatment/class of flow/packet filtering.

As regards to similar Claims 7 and 17, *they are rejected on the same ground of reasoning as* ***Claim 1,*** *since TFT can comprise at least the following filter parameters: source IP address, refers to the address of a peer device in an external network PDN, source gate, destination gate, DiffServ field (Differentiated Services), flow identifier (IPv6), protocol number (IPv4)/ the next address field (IPv6), etc. Based on the packet version, TFT can be created based on the IP packet version i.e. IPv6 and/or IPv4. TFT template is transferred in a particular TFT information element, parameter, which can be used to create a new TFT, to remove an existing TFT and to add, remove or replace one or more filters of an existing TFT.*

As regards to Claim 12, *Jouppi teaches method as set forth in claim 1 further comprising:*

allowing User Equipment (UE) to perform the steps of extracting, generating TFT information and transmitting the generated TFT information to a Gateway GPRS (General Packet Radio Service) Support Node (GGSN) (as stated in par. 0035, lines 4-5, par. 0039, lines 6-11, par. 0025, lines, par. 0027, lines 1-5, The mobile station is responsible for adding and updating TFT templates. The mobile station MS transmits a TFT template, contents of the TFT template is transferred in a particular TFT information element, which can be used to create a new TFT, to remove an existing TFT and to add, remove or replace one or more filters of an existing TFT. The TFT is transmitted transparently through the SGSN, to the GGSN which receives the TFT template. Operation of the mobile station MS is divided into two devices, for example

into a computer (controller) operating as the terminal equipment TE and a UMTS communication device operating as mobile termination MT, the MT can observe the source IP addresses of applications of the TE and packets transmitted by the IP stack, particularly interface identifiers. Computer functions as TFT filter and stores TFT information in its memory);

allowing the GGSN to store the TFT information received from the UE and to extract the first bits representing the first IP version address from the second IP version address when the second IP version address has the first IP version address inserted (as stated in par. 0037, lines 2-4, par. 0035, lines 16-26, Mobile station transmits TFT template, whereby the GGSN receives the TFT template in step 501 of FIG. 5, stores it in step 502 and uses it in step 504. On the basis of the requirements of the application, the MS determines for the PDP context request the quality of service QoS to be requested and for the TFT template the required filter information. On the basis of the request message, a new PDP context can be negotiated between the MS, SGSN and GGSN or an existing PDP context can be modified based on determined filter parameter of the PDP context TFT template (filter FI) transmitted by the MS in question for the filter functionality FF of the gateway GPRS support node GGSN).

and allowing the GGSN to perform the TFT packet filtering using the extracted first IP version address (as stated in par. 0031, lines 9-11, it is also easier and faster for the gateway GPRS support node GGSN to use the IPv4 and or IPv6 address as the filter parameter, for filter functionality FF of the gateway GPRS support node GGSN).

As regards to similar Claims 18 and 23-24, *they are rejected on the same ground of reasoning as* ***Claim 12.***

As regards to Claim 13, *Jouppi teaches method as set forth in claims 1, 7, 12 or 23, wherein the second IP version address into which the first IP version address is inserted is a first IP version-compatible second IP version address or a first IP version-mapped second IP version address* (as stated in par. 0006, par. 0039-0040, in TFT filtering, part of the IP version address allocated by the terminal is used as a filter to guide mapping of data flows from a first subsystem to the terminal of a second subsystem. The interface identifier determined by the terminal refers to a bit sequence which reserves at least part of the bits determined for the interface identifier in the IPv6 address structure. The packets fulfilling the conditions generally determined by the filter are transmitted by utilizing the associated data flow, in the UMTS (and GSM) system by utilizing the PDP context allocated to a wireless terminal. The filter functionality can be implemented by using not only an interface identifier but also other predetermined parameters and/or conditions with which the packets or data flows can be identified. FIG. 7 illustrates activation of a secondary PDP context in more detail. The mobile station MS transmits 701 an `activate secondary PDP context` request to the SGSN, the request comprising a tunnel identifier of an activated PDP context, a new tunnel identifier, an NSAPI identifier, the requested QoS profile and a TFT template. The contents of the TFT template is transferred in a particular TFT information element, which can be used to create a new TFT, to remove an existing TFT and to add, remove

or replace one or more filters of an existing TFT. The TFT is transmitted transparently through the SGSN. The TFT can comprise at least the following filter parameters: source IP address (refers to the address of a peer device in an external network PDN), source gate, destination gate, DiffServ field (Differentiated Services), flow identifier (IPv6), protocol number (IPv4)/ the next address field (IPv6), security parameter index SPI in connection with the IPSec protocol, and according to the present preferred embodiment also an interface ID allocated by one or more mobile stations).

As regards to similar Claim 25, *is rejected on the same ground of reasoning as* ***Claim 13.***

As regards to Claim 14, *Jouppi teaches method as set forth in claims 13, and 25, wherein the first IP version- compatible second IP version address is an address used between networks capable of supporting both a first IP of the first IP version and a second IP of the second IP version* (as stated in par. 0004, lines 1-5, par. 0020, lines 1-17 and par. 0026, lines 1-17, the main parts of the mobile communication system are a core network CN and a terrestrial radio network UTRAN of the UMTS mobile communication system, which support both Ipv4 and Ipv6 to define the PDP address to be used for the mobile station).

As regards to similar Claim 26, *is rejected on the same ground of reasoning as* ***Claim 14.***

As regards to Claim 15, *Jouppi teaches method as set forth in claims 13, and 25, wherein the first IP version- mapped second IP version address is an address used between a network capable of supporting only a first IP of the first IP version and a network capable of supporting both the first IP of the first IP version and a second IP of the second IP version* (as stated in par. 0004, lines 1-5 and par. 0026, lines 1-17, UMTS system support transmission of both Ipv4 and Ipv6 packets is applied to any packet-switched telecommunication system, wireless local area networks, Bluetooth systems, fourth-generation systems succeeding the UMTS system, or systems supporting packet-switched services of second-generation mobile communication systems, such as the GPRS system. The invention can also be applied to wired terminals and network elements supporting them).

As regards to similar Claim 27, *is rejected on the same ground of reasoning as* ***Claim 15.***

As regards to Claim 16, *Jouppi teaches method as set forth in claim 1, 7 or 12, wherein the first IP version is an IPv4 (IP version 4) and the second IP version is an IP version 6 (IPv6)* (as stated in par. 0026, lines 1-17, for receiving and transmitting packet-switched data, the MS activates at least one PDP context which makes the MS known in the gateway GPRS support node GGSN and forms a logical data transmission context in the mobile station MS, in the serving GPRS support node SGSN and in the

gateway GPRS support node GGSN. In the establishment stage of the PDP context, a PDP address, which is an IPv4 or an IPv6 address (when the PDP type is IP), is determined for the MS).

As regards to similar Claim 27, *is rejected on the same ground of reasoning as* ***Claim 28.***

X. Response to Arguments

Examiner's understanding of the Claimed invention is that it is an apparatus and a method of Traffic Flow Template filtering of Internet Protocol packets in a mobile communication network, based on version of packet i.e. IPv6 and/or IPv4.

The references and patent publications relied on by the examiner in the previous office actions demonstrate that not only were the components used in the apparatus available in the public domain at the time the invention was made, the integration of such components was also suggested by the references either explicitly or implicitly, making the claimed invention obvious for one of ordinary skill in the art to try with a reasonable expectation of success.

A. Appellant argues (on page 6-9 of the Appeal Brief) that the references Jouppi and Krishnarajah, taken either singly or in combination, do not teach or suggest the subject matter recited in Claim 1.

The Appellant cities the following statement regarding Jouppi reference: "Jouppi, which although is also related to IPv6 addresses as well as generating a TFT filter, is directed to a scheme aimed to solve a security problem, rather than a computation load problem. In particular, Jouppi is irrelevant to the claimed steps of extracting a first IP version address from a source second IP version address and generating TFT information using the first IP version address."

In response: Examiner submits the following points.

Jouppi as stated in par. 0006-0007, par. 0028-0029, discloses "interface identifier allocated by the terminal is used as a filter to guide mapping of data flows from a first subsystem to the terminal of a second subsystem. When the terminal allocates a new interface identifier, the network node attending to data transmission between the first subsystem and the second subsystem is first informed.

Hereby, only transmission of packets comprising an interface identifier determined as a filter can be allowed, using a data flow to which the filter condition is associated. The interface identifier determined by the terminal refers to a bit sequence which reserves at least part of the bits determined for the interface identifier in the IPv6 address structure.

The packets fulfilling the conditions generally determined by the filter are transmitted by utilizing the associated data flow, in the UMTS (and GSM) system by utilizing the PDP context allocated to a wireless terminal. The filter functionality can be implemented by using not only an interface identifier but also

other predetermined parameters and/or conditions with which the packets or data flows can be identified.

In order to receive and transmit packet-switched data, the MS must activate at least one PDP context which makes the MS known in the gateway GPRS support node GGSN and forms a logical data transmission context in the mobile station MS, in the serving GPRS support node SGSN and in the gateway GPRS support node GGSN.

In the establishment stage of the PDP context, a PDP address, which can be an IPv4 or an IPv6 address (when the PDP type is IP), is determined for the Mobile Station. The PDP address is determined in addition to other PDP context information, such as the negotiated QoS profile, for the context table maintained by the gateway GPRS support node GGSN.

As illustrated in FIG. 4, the GGSN comprises a packet filter functionality FF, which attempts to identify a certain flow or a group of flows by including information on possible address fields in the form of packet filter components FI.

These packet filters FI can comprise as at least one of their filter parameters an interface identifier that the MS has allocated to itself and indicated to the GGSN. The packet filters FI are typically PDP-context-specific, whereby no other filter parameters are necessarily needed in addition to the interface identifier."

Thus Appellant allegation regarding Jouppi's scheme is untrue as The interface identifier determined by the terminal refers to a bit sequence which

reserves at least part of the bits determined for the interface identifier (not all the 64 bit as alleged) in the IPv6 address structure and the IPv6 addresses are formed of a prefix containing 64 bits and a suffix containing 64 bits, out of which 32 bit suffix corresponds to IPv4 address. The interface identifier is a filter parameter of a TFT template used in the UMTS system. In such a case, the wireless terminal can activate the PDF context by using the interface identifier it has allocated. Since the wireless terminal in the GGSN network element operating as the edge node of the UMTS system is identified with the prefix of the IPv6 address when using IPv6 addresses, no prefix needs to be transferred in this case in messages relating to the activation of secondary PDP contexts, whereby the amount of information to be transmitted is smaller. The GGSN does not have to maintain prefixes for secondary PDP contexts either, nor does it have to check them, but the PDP contexts can be uniquely distinguished from each other on the basis of the interface identifier.

B. Appellant argues (on page 9-11 of the Appeal Brief) that the Examiner's arguments are largely not directed to the subject matter recited in Claim 1.

The Appellant cities the following statement regarding Krishnarajah reference:

"Turning to the cited secondary reference Krishnarajah, similar to Jouppi, the scheme disclosed in Krishnarajah is also irrelevant to the problem that the claimed combination advantageously resolves, that is, to reduce the bit-

computation load associated with performing TFT filtering operation. Specifically, Krishnarajah's scheme is designed to provide different priority treatments to different portions of a payload and therefore allow the scarce radio bandwidth to be used more efficiently by higher priority services."

In response: Examiner submits the following points.

Krishnarajah as stated in par. 0071 discloses, "In a UMTS architecture, the UE identifies a flow based on a set of parameters defined in a traffic flow template (TFT) which acts as a packet filter using filter parameters, like IP source/destination address, UDP source/destination address, etc., that are the same for an IP stream. The TFT is mapped to a specific GTP tunnel for which the PDP context was initiated. In the case where an IPv6 the flow label is used for flow identification, the UE initiates one TFT per flow and then maps it to the GTP tunnel. In the RTP header and destination option example implementations, only one TFT for the entire flow need be initiated since these example mechanisms do not modify any of the TFT parameters. Advantageously, introducing information in the IP flow label does not affect the TFT mechanism of directing each flow to the appropriate radio bearer. Although the flow label identify in the IPv6 header has been described here, similar identifiers in an IP packet, including in an IPv4 packet, may be used to indicate the subflows of a particular CODEC stream in order to perform different treatment on those subflows, e.g., a TOS field in the IPv4 header could be redefined."

Krishnarajah dose disclose identifying IPv6 packet and its corresponding flow label identity in an IP packet and states that similar identifiers including in an IPv4 packet may be used to indicate the subflows of a particular CODEC stream in order to perform different treatment on those subflows. Once the IP packet is identified as an IPv6 and/or IPv4 packet, in other words extracting the version of an IP packet, whether identified through an interface identifier and/or flow identifiers, traffic flow template filtering (TFT) can be applied to IP packets based on these parameters for extraction of IPv6 and IPv4 address.

C. Appellant argues (on page 11-13 of the Appeal Brief) that In summary, Jouppi and Krishnarajah, taken singly or in combination, do not disclose, teach, or suggest extracting a first IP version address from a source second IP version address, wherein the second IP version address contains the first IP version address; and generating TFT information using the first IP version address, wherein the TFT information contains an indication that the second IP version address contains the first IP version address, as recited in claim 1. Accordingly, Jouppi and Krishnarajah, taken singly or in combination, do not disclose, teach, or suggest the subject matter recited in claim 1.

In response: Examiner submits the following points.

Jouppi does disclose, that, "The contents of the TFT template is transferred in a particular TFT information element, which can be used to create a new TFT, to remove an existing TFT and to add, remove or replace one or

more filters of an existing TFT. The TFT is transmitted transparently through the SGSN. The TFT can comprise at least the following filter parameters: source IP address (refers to the address of a peer device in an external network PDN), source gate, destination gate, DiffServ field (Differentiated Services), flow identifier (IPv6), protocol number (IPv4)/ the next address field (IPv6), security parameter index SPI in connection with the IPSec protocol, and according to the present preferred embodiment also an interface ID allocated by one or more mobile stations."

Thus Traffic Flow Template filtering parameters as described by Jouppi do perform extracting of the filtered parameters which can be based on the first IP version i.e. IPv4 version and also second IP version i.e. IPv6 version, in addition to that interface ID allocated by the mobile station.

Similarly Krishnarajah also does disclose, "In a UMTS architecture, the UE identifies a flow based on a set of parameters defined in a traffic flow template (TFT) which acts as a packet filter using filter parameters, like IP source/destination address, UDP source/destination address, etc., that are the same for an IP stream. The TFT is mapped to a specific GTP tunnel for which the PDP context was initiated. In the case where an IPv6 the flow label is used for flow identification, the UE initiates one TFT per flow and then maps it to the GTP tunnel. In the RTP header and destination option example implementations, only one TFT for the entire flow need be initiated since these example mechanisms do not modify any of the TFT parameters. Advantageously, introducing

information in the IP flow label does not affect the TFT mechanism of directing each flow to the appropriate radio bearer. Although the flow label identify in the IPv6 header has been described here, similar identifiers in an IP packet, including in an IPv4 packet, may be used to indicate the subflows of a particular CODEC stream in order to perform different treatment on those subflows, e.g., a TOS field in the IPv4 header could be redefined."

Krishnarajah dose disclose identifying IPv6 packet and its corresponding flow label identity in an IP packet and states that similar identifiers including in an IPv4 packet may be used to indicate the subflows of a particular CODEC stream in order to perform different treatment on those subflows. Once the IP packet is identified as an IPv6 and/or IPv4 packet, in other words extracting the version of an IP packet, whether identified through an interface identifier and/or flow identifiers, traffic flow template filtering (TFT) can be applied to IP packets based on these parameters for extraction of IPv6 and IPv4 address.

The interface identifier determined by the terminal refers to a bit sequence which reserves at least part of the bits determined for the interface identifier in the IPv6 address structure. The filter functionality can be implemented by using not only an interface identifier but also other predetermined parameters and/or conditions with which the packets or data flows can be identified.

The interface identifier is a filter parameter of a TFT template used in the UMTS system. In such a case, the wireless terminal can activate the PDF context by using the interface identifier it has allocated. Since the wireless

terminal in the GGSN network element operating as the edge node of the UMTS system is identified with the prefix of the IPv6 address when using IPv6 addresses, no prefix needs to be transferred in this case in messages relating to the activation of secondary PDP contexts, whereby the amount of information to be transmitted is smaller. The GGSN does not have to maintain prefixes for secondary PDP contexts either, nor does it have to check them, but the PDP contexts can be uniquely distinguished from each other on the basis of the interface identifier.

With regards to Jouppi disclosures bit computational associated with IPv6 is reduced with the use of Interface identifiers. Similarly Krishnarajah Different types of headers may be used. For example, existing Internet protocol headers may be employed, and the mapping of a packet to a corresponding communications bearer may be determined using a standard IP header field. A specific, non-limiting, example embodiment is described below where the first and second IP packets are IP version 6 (IPv6) packets, and the mapping of each packet to a corresponding communications bearer is determined using the flow label of the IP header. In a UMTS architecture, the UE identifies a flow based on a set of parameters defined in a traffic flow template (TFT) which acts as a packet filter using filter parameters, like IP source/destination address, UDP source/destination address, etc., that are the same for an IP stream. The TFT is mapped to a specific GTP tunnel for which the PDP context was initiated. In the case where an IPv6 the flow label is used for flow identification, the UE initiates

one TFT per flow and then maps it to the GTP tunnel. Thus High priority, high quality of service, and/or important bits are identified and appropriately handled without having to treat all of the data in a payload using a higher treatment class which is expensive in terms of necessary resources.

In conclusion Jouppi and Krishnarajah, taken singly or in combination, do disclose, teach, or suggest extracting through Traffic Flow Template filtering parameters which can be based on the first IP version i.e. IPv4 version and also second IP version i.e. IPv6 version.

D. For the rest of the Claims under Appeal (i.e. Claims 7, 12-18 and 23-28), Appellant's arguments are all based on the disqualification of Jouppi and Krishnarajah as a prior art references for the reasons recited above, which has been responded to by the examiner accordingly.

XI. Related Proceeding(s) Appendix

No decision rendered by a Court or the Board is identified by the examiner in the related Appeals and Interference section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Muktesh G. Gupta/

Patent Examiner, Art Unit 2444

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2444

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